



## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF HAWAII

RAYMOND WARE,	)	CV NO. CV04-00671 HG-LEK
	)	
Plaintiff,	)	
	)	DECLARATION OF STEVEN M.
vs.	)	NAKASHIMA; EXHIBIT A
	)	
SIDNEY HAYAKAWA, Director of	)	
Transportation Security	)	
Administration – Honolulu, KEN	)	
KAMAHELE, Deputy Director,	)	
Transportation Security	)	
Administration – Honolulu;	)	
TRANSPORTATION SECURITY	)	
ADMINISTRATION; THOMAS J.	)	
RIDGE, Secretary, Department of	)	
Homeland Security, DEPARTMENT	)	
OF HOMELAND SECURITY;	)	
LOCKHEED-MARTIN; JOHN DOES)	)	
2-5,	)	
	)	
Defendants.	)	
	)	

DECLARATION OF STEVEN M. NAKASHIMA

STEVEN M. NAKASHIMA declares the following:

1. I am a member of Marr Hipp Jones & Wang, LLLP, am licensed to practice law in the State of Hawaii, and have been admitted to practice law before this court. I am one of the attorneys representing former defendant Lockheed-Martin Corporation (“Lockheed”) in this action. Lockheed was

dismissed from this action as evidenced by the Notice of Dismissal with Prejudice of All Claims Against Defendant Lockheed-Martin that was filed by Plaintiff on Sept. 30, 2005

2. Exhibit A is a true and correct copy of a letter I sent to Daphne Barbee, Esq., Plaintiff's counsel, and Thomas A. Helper, Esq., counsel for the federal defendants, which memorialized my telephone discussion with Ms. Barbee. The letter informs Ms. Barbee that Lockheed does not have the documents concerning Plaintiff Ware's recertification testing as Lockheed did not administer the testing. Instead, a subcontractor, Alltech International, Inc. or Homeland Security Corporation, performed the testing involving Plaintiff Ware.

3. In light of this information, I informed Plaintiff's counsel that I would be requesting that the Court dismiss this Motion to Compel as to Lockheed as the information must be sought from other parties or entities.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 23, 2005.



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STEVEN M. NAKASHIMA